

COMMON COUNCIL MEETING MINUTES

MONDAY, SEPTEMBER 18, 2006 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEMBERS PRESENT:

Council President Richard L. Sharp, Council Members Kevin Kirby, Brian D. Mayo, Joseph C. Griffiths, Ronald E. Carter, Mark Rattermann, Clerk-Treasurer Diana L. Cordray and Deputy Clerk-Treasurer Lois Fine.

Mayor James Brainard and Councilor Glaser were not in attendance.

Council President Sharp called the meeting to order at 6:02 p.m.

Councilor Mayo pronounced the Invocation.

Council President Sharp led the pledge of allegiance.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:

There were none.

APPROVAL OF MINUTES:

Councilor Mayo made a motion to approve the Minutes of the August 31, 2006 Special Meeting. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. The Minutes were approved 6-0.

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:

The following individuals spoke in opposition to Ordinance D-1830-06 (Gramercy \$20,000,000 TIF):

| | |
|-----------------------------|--|
| Henry Winckler | 411 Jenny Lane, Carmel, IN 46032 |
| Phil Squire (attachment 1) | 1315 Lawrence Road, Carmel, IN 46032 |
| Pat Truelove (attachment 2) | 730 W. Auman Drive, Carmel, IN 46032 |
| Jim Colter | 1207 Fairbanks Drive, Carmel, IN 46032 |
| Angie Molt | 740 W. Auman Drive, Carmel, IN 46032 |
| Hilary Woodcock | 506 Ash Drive, Carmel, IN 46032 |
| Eric Seidensticker | 612 Ash Drive, Carmel, IN 46032 |

The following individual spoke in opposition to Resolution CC-09-18-06-03 (Proposed Modifications to the West Clay village PUD):

| | |
|--------------|--|
| George Sweet | 1100 W. 131 st Street, Carmel, IN |
|--------------|--|

The following individual spoke in favor of Resolution CC-09-18-06-03 (Proposed Modifications to the West Clay village PUD):

Nadine Baker

2495 Durbin Drive, Carmel, IN

COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:

Council President Sharp informed the Council and viewers that the Council meeting scheduled for Monday, October 2, 2006 will be cancelled due to Yom Kippur. The next Council meeting will be held on Tuesday, October 3, 2006 at 6:00 p.m.

ACTION ON MAYORAL VETOES:

There were none.

CLAIMS:

Councilor Mayo made a motion to approve the claims in the amount of \$1,333,833.31. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. Claims were approved 6-0.

COMMITTEE REPORTS:

Councilor Rattermann reported that the Finance, Administration and Rules Committee met and discussed Ordinance D-1823-06, Ordinance D-1826-06 and Ordinance D-1827-06. Councilor Rattermann will give his report when the items come up on the agenda.

Council President Sharp reported that the Land Use, Annexation and Economic Development Committee had not met.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Councilor Kirby reported that the Utilities, Transportation and Public Safety Committee met and discussed Ordinance D-1822-06 which was forwarded to the full Council with a 4-0 favorable recommendation.

Councilor Kirby left the chamber.

OLD BUSINESS

Third Reading of Ordinance D-1782-05; An Ordinance of the Common Council of the City of Carmel, Indiana to Vacate a Segment of Right-Of-Way for River Road; Sponsor: Councilor Glaser. Council President Sharp reported this item remains in the Land Use Committee.

Council President Sharp announced the **Second Reading of Ordinance D-1822-06;** An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 4, Article 1, Division III, Section 4-26(c)(1) of the Carmel City Code (Door-To-Door Vendors). There was brief Council discussion.

Councilor Mayo made a motion to approve Ordinance D-1822-06. Councilor Carter seconded. There was no Council discussion. Council President Sharp called for the question.

Ordinance D-1822-06 was adopted 5-0.

Council President Sharp announced the **Second Reading of Ordinance D-1823-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Fixing Salaries of Appointed Officers and Employees of the City of Carmel, Indiana, for the Year 2007. Councilor Rattermann reported that Ordinance D-1823-06, As Amended VERSION B 9/5/06, was referred to the full Council from the Finance Committee with a 2-0 favorable recommendation.

Councilor Kirby returned to the chamber.

Councilor Mayo made a motion to approve Ordinance D-1823-06, As Amended VERSION B 9/5/06. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1823-06, As Amended VERSION B 9/5/06** was adopted 6-0.

Council President Sharp announced the **Second Reading of Ordinance D-1826-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Fixing the Salaries of Appointed Officers and Employees of the Clerk-Treasurer, City of Carmel, Indiana, for the Year 2007. Councilor Rattermann reported that Ordinance D-1826-06 was referred to the full Council from the Finance Committee with a 2-0 favorable recommendation. Councilor Mayo made a motion to approve Ordinance D-1826-06. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1826-06** was adopted 6-0.

Council President Sharp announced **Second Reading of Ordinance D-1827-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Fixing Salaries of Appointed Officers and Employees of the Carmel City Court for the Year 2007. Councilor Rattermann reported that Ordinance D-1827-06 was referred to the full Council from the Finance Committee with a 2-0 favorable recommendation. Councilor Mayo made a motion to approve Ordinance D-1827-06. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1827-06** was adopted 6-0.

Council President Sharp announced the **Second Reading of Ordinance D-1828-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Appropriations for the 2007 Budget (\$70,498,879). Council President Sharp reported that Ordinance D-1828-06 was referred to the full Council from the Committee of the Whole with a 4-1 favorable recommendation. Councilor Mayo made a motion to approve Ordinance D-1828-06. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question.

Ordinance D-1828-06 was adopted 5-1 (Councilor Rattermann opposed).

PUBLIC HEARINGS

Council President Sharp announced the **First Reading of Ordinance Z-496-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Change of Zoning Classification, Rezoning of 27+ Acres of Real Estate at Northeast Corner of 122nd Street and Pennsylvania Street from R-1/Residential and M-3/Manufacturing Park to B-3/Business Zoning Classification. Councilor Kirby made a motion to move this item into business. Councilor Rattermann seconded. Councilor Rattermann referred to Paul Reis, Attorney, Bose McKinney & Evans, 600 E. 96th Street Suite 500, Indianapolis, IN 46240 for a

presentation to Council. Council President Sharp opened the Public Hearing at 7:23 p.m. Seeing no one who wished to speak, Council President Sharp closed the Public Hearing at 7:24 p.m. There was brief Council discussion. Council President Sharp referred Ordinance Z-496-06 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

Council President Sharp announced **Resolution CC-09-18-06-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Approving a Ten-Year (10) Real Property Tax Abatement for Lauth Property Group, on behalf of Midwest ISO's New Operations Center Located in Carmel, Indiana. Councilor Carter made a motion to move this item into business. Councilor Mayo seconded. There was no Council discussion. Council President Sharp opened the Public Hearing at 7:27 p.m. Seeing no one who wished to speak, Council President Sharp closed the Public Hearing at 7:27:30 p.m. Councilor Mayo made a motion to approve Resolution CC-09-18-06-01. Councilor Kirby seconded. There was no Council discussion. Council President Sharp called for the question. **Resolution CC-09-18-06-01** was adopted 6-0.

Councilor Griffiths made a motion to Add-On Resolution CC-09-18-06-03 to the agenda. Councilor Mayo seconded. There was no Council discussion. Council President Sharp called for the question. The motion to Add-On Resolution CC-09-18-06-03 to the agenda was approved 6-0.

NEW BUSINESS

Council President Sharp announced the **First Reading of Ordinance D-1830-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Authorizing the Issuance of the City of Carmel, Indiana Taxable Economic Development Revenue Bonds, Series 2006 B (Gramercy Development Partners, LLC Project), and the Lending of the Proceeds Thereof to Gramercy Development Partners, LLC (\$20,000,000 Tax Increment Financing). Councilor Kirby made a motion to move this item into business. Councilor Mayo seconded. Council President Sharp referred to Curt Coonrod for a clarification of Tax Increment Financing. There was extensive Council discussion. Councilor Carter presented this item to Council. There was brief Council discussion. Council President Sharp referred Ordinance D-1830-06 to the Finance, Administration and Rules Committee for further review and consideration.

Council President Sharp announced the **First Reading of Ordinance D-1831-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Enacting and Adopting a Supplement to the Code of Ordinances of the City of Carmel, Indiana (Second Quarter). Councilor Kirby made a motion to move this item into business and to suspend the rules and not send this item to committee and vote this evening. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. The motion to suspend the rules and not send this item to committee and vote this evening was approved 6-0. Councilor Kirby made a motion to approve Ordinance D-1831-06. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1831-06** was adopted 6-0.

Council President Sharp announced **Resolution CC-09-18-06-02**; A Resolution of the Common Council of the City of Carmel, Indiana Approving Certain Matters in Connection with the Gramercy Economic Development Area (EDA). Councilor Mayo made a motion to move this item into business. Councilor Kirby seconded. Councilor Carter presented this item to Council. Councilor Carter made a motion to approve Resolution CC-09-18-06-02. Councilor Griffiths seconded. There was no Council discussion. Council President Sharp called for the question. **Resolution CC-09-18-06-02** was adopted 5-1 (Councilor Rattermann opposed).

ADD-ON

Council President Sharp announced **Resolution CC-09-18-06-03**; A Resolution of the Common Council of the City of Carmel, Indiana, Regarding Proposed Modifications to the West Clay Village Planned Unit Development District; Sponsor(s): Councilor(s) Sharp, Griffiths, Mayo and Glaser. Councilor Mayo made a motion to move this item into business. Councilor Griffiths seconded. Council President Sharp passed the gavel to Clerk-Treasurer Diana L. Cordray to present this item to Council. There was brief Council discussion. Councilor Mayo made a motion to approve Resolution CC-09-18-06-03. Councilor Griffiths seconded. There was no Council discussion. Clerk-Treasurer Diana L. Cordray called for the question. **Resolution CC-09-18-06-03** was adopted 4-2 (Councilors Kirby and Rattermann opposed).

Council President Sharp reclaimed the gavel from Clerk-Treasurer Diana L. Cordray.

OTHER BUSINESS

There was none.

ANNOUNCEMENTS

There were none.

EXECUTION OF DOCUMENTS

Council President Sharp adjourned the meeting at 8:23 p.m.

ADJOURNMENT

Respectfully submitted,

Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

Mayor James Brainard

ATTEST:

Clerk-Treasurer Diana L. Cordray, IAMC